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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,149	07/15/2003	James L. Kroening	450.366US1	1189

7590 06/07/2006

Gateway, Inc.  
Attention: Scott Charles Richardson  
610 Gateway Drive, MD Y-04  
N. Sioux City, SD 57049

EXAMINER
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TRAN, DENISE

ART UNIT	PAPER NUMBER
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2185

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/621,149

Applicant(s)

KROENING, JAMES L.

Examiner

Denise Tran

Art Unit

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5,8-19,30 and 31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 30 and 31 is/are allowed.
- 6) ☒ Claim(s) 1,9,12-14,16,17 and 19 is/are rejected.
- 7) ☒ Claim(s) 2,4,5,8,10,11,15 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

1. The applicant's amendment filed 3/15/06 has been considered. Claims 1-2,4-5, 8-19, and new added claims 30-31 are pending in the application. Claims 3, 6-7, 20-29 has been canceled.

2. The indicated allowability of claims 3 and 17 are withdrawn in view of the newly discovered reference(s) to Paterson et al. 6412042. Rejections based on the newly cited reference(s) follow.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 9, 12-14, 16-17, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Paterson et al., U.S. Patent No. 6,412, 042.

As per claim 1, Paterson teaches a method of writing information to a storage device, the method, implemented in the storage device comprising:

receiving a dual write command to write information to the storage device (e.g., col. 11, line 60 to col. 12, line 20 );

determining two locations to write the information (e.g., col. 11, line 60 to col. 12, line 20 );

performing a single reading of the information to be written into a read buffer (e.g., col. 11, line 60 to col. 12, line 20 );

writing the information to both of the two locations based on the single reading of the information (e.g., col. 11, line 60 to col. 12, line 20 );

wherein the read buffer of the storage device is not cleared between the writing of the information to both of the two locations (e.g., col. 11, line 60 to col. 12, line 20 );

wherein one of the two locations is within a reserve area of the storage device (i.e., replicate location, e.g., col. 11, line 60 to col. 12, line 20); and

wherein the reserve area is not accessible to a user (e.g., col. 11, lines 15-25; col. 18, lines 1-5; col. 18, lines 25-65 and et seq).

As per claim 14, Paterson teaches a method of writing information to a single disk drive storage device, the method comprising:

receiving a command to write information to the single disk drive storage device (col. 5, lines 50-55; col. 11, lines 62-65);

determining if the command is a dual write command (e.g., col. 12, lines 1-20);

if the command is a dual write command: determining two locations on the single disk drive storage device to write the information (e.g., col. 12, lines 1-20);

reading the information to be written into a read buffer (e.g., col. 11, lines 64-66); and writing the information to both of the two locations on the single disk drive storage device based up a single reading of the information (e.g., col. 12, lines 1-20).

As per claims 9, 12-13, 16-17 and 19, Paterson teaches the storage device comprising a disk drive (e.g., fig. 1, el. 10); the information is written to both of the locations during a same

write cycle (e.g., col. 12, lines 1-20); and writing the information to both locations comprises writing the information to a plurality of locations comprising both locations and at least one additional location (e.g., col. 14, line 55 to col. 15, line 20); a read buffer of the storage device is not cleared between the writing of information to both of the two locations (e.g., col. 12, lines 1-20); wherein the reserve area is not accessible to a user (e.g., col. 11, lines 15-25; col. 18, lines 1-5; col. 18, lines 25-65 and et seq); and data is first written into a location having a lower address than the location at which the data is written a second time (e.g., fig. 7A-C, els. 76 and 78).

8. Claims 14, 16, and 19 are rejected under 35 U.S.C. 102(b) as being anticipate by Kasebayashi et al. US 5,758,191 (hereinafter Kasebayashi) .

As per claim 14. Kasebayashi teaches a method of writing information to a single disk drive storage device, the method comprising:

receiving a command to write information to the single disk drive storage device (fig. 3, write command);

determining if the command is a dual write command (i.e., burst write having at least blocks; e.g., col. 2, lines 30-35; col. 6, lines 1-15);

if the command is a dual write command: determining two locations on the single disk drive storage device to write the information (i.e., sequentially writes to the disk 13, e.g., col. 6, lines 1-15);

reading the information to be written into a read buffer (e.g., fig. 3, el. 11); and

writing the information to both of the two locations on the single disk drive storage device based up a single reading of the information (i.e., a single reading operation of the buffer; e.g., col. 6, lines 1-15).

As per claim 16 Kasebayashi shows wherein a read buffer of the storage device is not cleared between the writing of information to both of the two locations (e.g., col. 6, lines 1-15);

As per claim 19, Kasebayashi teaches data is first written into a location having a lower address than the location at which the data is written a second time (i.e., sequentially, e.g., col. 7, lines 35-50).

9. Claims 2, 4, 5, 8,10-11,15 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 30-31 are allowable over the prior art of record.

11. Applicant's arguments filed 3/15/06 have been fully considered but they are not persuasive.

12. In the remarks, the applicant argued that Kasebayashi does not teach the method, including writing information to two locations on a single disk drive.

The examiner disagreed with the applicant's argument because Kasebayashi teaches the method, including writing information to two locations on a single disk drive (i.e., burst data having more than one block data being sequentially write to more than one location on the magnetic disk; e.g., col. 6, lines 1-15; col. 8, lines 5-10; col. 7, lines 15-25).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Denise Tran whose telephone number is (571) 272-4189. The examiner can normally be reached on Monday, Thursday, and an alternated Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim, can be reached on 571-272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Denise Tran

5/26/06

Application/Control Number: 10/621,149  
Art Unit: 2185

Page 7